

BINGHAM McCUTCHEN LLP

Kate K. Simon
One State Street
Hartford, CT 06103
Tel: 860.240.2700
Fax: 860.240.2800

Hearing Date: July 22, 2010 at 10:00 a.m.
Objection Due: June 7, 2010

*Counsel to Sumitomo Corporation and
Sumitomo Corp. of America*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

**DPH HOLDINGS CORP., et al.,
Debtors.**

)
) **Chapter 11**
)

) **Case No. 05-44481 (RDD)**
)
) **(Jointly Administered)**
)

**DELPHI CORPORATION, et al.,
Plaintiffs,**

) **Adv. Pro. No. 07-02659 (RDD)**
)
)

Against

**SUMITOMO, et al.
Defendants.**

)
)
)
)
)
)
)

**JOINDER OF SUMITOMO CORPORATION AND SUMITOMO CORP. OF AMERICA
TO REPLIES FILED BY VARIOUS PREFERENCE DEFENDANTS TO (A) VACATE
CERTAIN PRIOR ORDERS OF THE COURT; (B) DISMISS THE COMPLAINT WITH
PREJUDICE; OR (C) IN THE ALTERNATIVE, TO DISMISS THE CLAIMS AGAINST
CERTAIN DEFENDANTS NAMED IN THE COMPLAINT AND TO REQUIRE
PLAINTIFFS TO FILE A MORE DEFINITE STATEMENT**

Sumitomo Corporation (“Sumitomo”)¹ and Sumitomo Corp. of America (“SCOA”)

hereby join and adopt the arguments and authorities set forth in the reply briefs filed by

¹ Sumitomo is specially appearing without having been served or served properly, while preserving all defenses, including lack of or improper service and jurisdictional defenses. *See Grammenos v. Lemos*, 457 F.2d 1067, 1070 (2d Cir. 1972) (defendants do not waive any defects in

preference defendants Affinia Group Holdings, Inc., et al. (Adv. Pro. No. 07-02198),² HP Enterprise Services, LLC (Adv. Pro. No. 07-02262), Johnson Controls (Adv. Pro. No. 07-2348),³ Wagner Smith (Adv. Pro. No. 07-02581),⁴ and the reply briefs filed by other preference defendants in the pending preference actions associated with the Delphi bankruptcy case (collectively, the “Replies”).

In the interest of promoting judicial efficiency, Sumitomo and SCOA will not reiterate the arguments and authorities that have been cited to the Court in the Replies, but instead hereby incorporate by reference the arguments and authorities stated in the Replies as if fully stated herein.

Dated: Hartford, Connecticut
July 2, 2010

By: /s/Kate K. Simon

Kate K. Simon
BINGHAM McCUTCHEN LLP
One State Street
Hartford, CT 06103
Tel: 860.240.2700
Fax: 860.240.2800

*Counsel to Sumitomo Corporation and
Sumitomo Corp. of America*

service or jurisdictional defenses in appearing to object to jurisdiction or venue or by seeking an extension).

² Lead case Doc. No. 20304.

³ Lead case Doc. No. 20298.

⁴ Lead case Doc. No. 20306.